

September 9, 2011

Mr. David H. Meyer  
Office of Electricity Delivery and Energy Reliability (OE-20)  
U.S. Department of Energy  
1000 Independence Avenue SW

RE: Comments on Electric Transmission Congestion Studies and Designation  
of National Interest Electric Transmission Corridors

Submitted via: [congestion09@anl.gov](mailto:congestion09@anl.gov)

Dear Mr. Myer:

The American Wind Energy Association (AWEA)<sup>1</sup> and the undersigned are writing to encourage the Department of Energy (DOE) to delegate additional authority to FERC to allow it, in conjunction with its existing permitting authority, to conduct congestion studies and identify and designate National Interest Electric Transmission Corridors (NIETC), pursuant to section 1221 of the Energy Policy Act of 2005 (EPAct 2005).

One of the main barriers to the building of a more robust transmission grid that is able to meet the needs of the 21st century and the deployment of more renewable energy resources, such as wind, has been the lack of effective federal siting. In order alleviate some of the problems with respect to transmission siting, in EPAct 2005, Congress established a new federal role to provide a federal siting process to supplement state and local siting. Unfortunately, the siting process established by EPAct 2005 bifurcated the federal role between DOE and FERC, which complicated implementation and served to impede the effectiveness of the new federal siting process. In addition, legal challenges have also served as a hurdle to effective use of the existing backstop siting authority. In fact, to date, no construction permits for projects in NIETCs have

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<sup>1</sup> AWEA is the national trade association representing a broad range of entities with a common interest in encouraging the deployment and expansion of wind energy resources in the United States. AWEA members include wind turbine manufacturers, component suppliers, project developers, project owners and operators, financiers, researchers, renewable energy supporters, utilities, marketers, customers and their advocates.

been issued. As the Transmission Siting Narrative recognizes, “[c]learly, the backstop transmission procedure established by Congress has not yet been effective.”<sup>2</sup>

To help remedy this problem, we support the three-step process outlined in the Transmission Siting Narrative: (1) delegation by DOE to FERC authorizing FERC to conduct triennial congestion studies; (2) delegation by DOE to FERC authorizing FERC to designate NIETCs; and (3) consideration by FERC of applications for both project-specific NIETC designations and permits for construction of interstate transmission projects within the project-specific NIETCs. The proposed delegation from DOE to FERC would allow a more rational, expedited federal process for the consideration of transmission projects, could help overcome the difficulties that have up till now plagued that process, and would support the need for a modern and efficient transmission grid in the United States, with increased access to the most cost-effective renewable resources.

DOE’s leadership is critical to advancing a national policy that favors responsible expansion of the transmission grid, and we strongly support DOE moving forward with this proposal under discussion.

Sincerely,

American Wind Energy Association  
Clean Line Energy Partners  
Clipper Windpower Development Company, LLC  
enXco  
Iberdrola Renewables  
Interwest Energy Alliance  
Invenergy LLC  
Mortenson Construction  
NextEra Energy Resources  
RES Americas  
Siemens  
Western Grid Group  
Wind on the Wires  
Vestas - American Wind Technology, Inc.

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<sup>2</sup> FERC, Draft Staff Preliminary and Conceptual Transmission Siting Proposal at p.3, *available at* <http://www.congestion09.anl.gov/>.